



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

ALAN H. SCHEINER
Senior Counsel
Tel. (212) 356-2344
Fax. (212) 356-3509
email: ascheine@law.nyc.gov

MEMO ENDORSED

August 9, 2022

Via ECF

Hon. Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *K.A., et al. v. City of New York, et al.*, 16-cv-04936 (LTS) (KNF) (SDNY)

Your Honor:

I am a Senior Counsel in the Office of Hon. Sylvia O. Hinds-Radix, the Corporation Counsel of the City of New York, assigned to the defense of the above-referenced action on behalf of defendant City of New York (the "City"). I am writing to respectfully request an extension of time for: (1) the City and the Corizon defendants (the "Defendants") to submit their Reply memoranda in support of their motions to dismiss, from August 12, 2022 to August 19, 2022; and (2) the time for the City and the Corizon defendants to submit an appeal under Fed. R. Civ. P. 72 of the Magistrate Judge's Order of July 28, 2022 (ECF No. 156) denying Defendants' motion to stay discovery, in whole or in part, during the pendency of the motions to dismiss, from August 11, 2022 to August 16, 2022. Plaintiffs consent to this request. This is the second request for extension of the time to Reply, the first request was granted upon consent. This is the first request for extension of time to submit the Rule 72 appeal.

The extensions are required because of the continuing need for the City's counsel to attend to the medical needs of a child who is recovering from a significant surgery that occurred on July 26, 2022. (This is the medical emergency referenced in the prior applications for an extension of made on August 1, 2022, ECF Nos. 158, 160). As a result of this family medical issue, the City's counsel has been unable to fully attend to the Magistrate Judge's Order of July 28, 2022 or the preparation of the Reply on the motion to dismiss.

The Corizon defendants join in this request because judicial economy calls for all defendants to make their applications together, and the Defendants may wish to incorporate co-defendants arguments to avoid duplicative filings.

We thank the Court for its consideration of this matter.

The foregoing extension requests are granted. DE 161 is resolved.

SO ORDERED.

8/10/2022

/s/ Laura Taylor Swain, Chief USDJ

Respectfully submitted,

Alan H. Scheiner /s/

Alan H. Scheiner

Senior Counsel

Special Federal Litigation Division

cc: All Counsel (via ECF)